

REMARKS

Claims 1-6 and 8-15 are pending in the present application, claim 7 having been cancelled herein. The Office Action and cited references have been considered. Favorable consideration is respectfully requested.

Claim 13 has been amended to correct the typographical error. Applicant's inadvertent failure to correct the error in the previous amendment is regretted.

Claims 1-8 and 13-15 were rejected under 35 U.S.C. §102(b) as being anticipated by Piasecki et al (U.S. Patent No. 5,117,453). Claims 1, 3-5 and 7-13 were also rejected under 35 U.S.C. §102(e) as being anticipated by Sicher et al (U.S. Patent No. 6,112,084). These rejections are respectfully traversed for the following reasons.

Claims 1 and 13 have been amended to clarify the difference between the claimed invention and the prior art. In particular, the claimed invention includes at least one detector operative to receive at least two different types of signals, each associated with a different class of quality of service and to distinguish between the at least two different types of signals, a first transmission means operative to transmit receive signals along a first transmission path and to divert signals of at least one other type selected from among the at least two different types of signals and

associated with a service that requires a lower class of quality, from the first transmission path, and a second transmission means operative to transmit the diverted signals along the second transmission path. Claim 13 has been amended in a similar manner. These features are not taught, disclosed or made obvious by the prior art of record.

In Piasecki, there is an apparatus for detecting a presence of voice band data signals and an apparatus for detecting the presence of group facsimile signals (column 2, lines 60-62). These means detect the presence of two different types of signals. However, the type of signals in Piasecki do not relate, i.e., are not associated with a different class of quality (see p. 4, 2nd full paragraph of the substitute specification filed on January 25, 2006). Piasecki contains no disclosure of any means for detecting signals having a different class of quality from one another. This feature is also absent from the Sicher patent. For at least these reasons, Applicant respectfully submits that claims 1 and 13 are patentable over the prior art of record.

Claims 2-6, 8-12 and 14-15 depend from and include the recitations of claims 1 and 3, respectively. Applicant respectfully submits that these claims are patentable in and of themselves and as they depend from and include the

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recitations of claims 1 and 13, respectably, for the reasons discussed above.

In view of the above amendments and remarks, Applicant respectfully request reconsideration and withdrawal of the outstanding rejections of record. Applicant respectfully submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

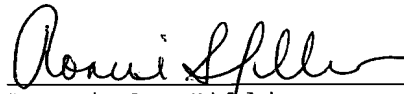
If the examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

Applicant respectfully awaits the results of a first examination on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By



Ronni S. Jillions
Registration No. 31,979

RSJ:cak
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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